

AO 441 (Rev. 8/01) Third Party Summons in a Civil Action

UNITED STATES DISTRICT COURT

District of MASSACHUSETTS

GREAT NORTHERN INSURANCE COMPANY
PLAINTIFF

THIRD PARTY SUMMONS IN A CIVIL ACTION

V. DEFENDANT AND THIRD PARTY PLAINTIFF
FERGUSON & SHAMANIAN ARCHITECTS, LLP, W. B.
MARDEN COMPANY, ELLIS & SCHNEIDER, INC.
AND THIRTY ACRE WOOD, INC.

Case Number: 1:05-CV-10165-RGS

V. THIRD PARTY DEFENDANT
ELLIS & SCHNEIDER, INC.

To: Name and address of Third Party Defendant

Ellis & Schneider, Inc. 41 Nobadeer Farm Road
Nantucket, MA

YOU ARE HEREBY SUMMONED and required to serve on

PLAINTIFF'S ATTORNEY (name and address)

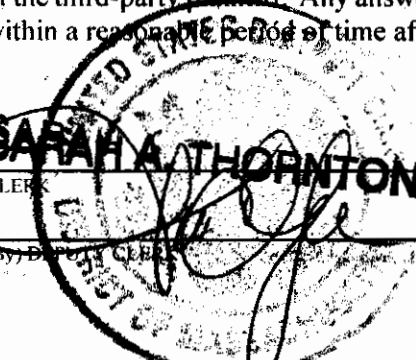
Robert M. Caplan, Esquire
Cozen & O'Connor
1900 Market Street
The Atrium, 3rd Floor
Philadelphia, PA

and Patrick J. Loftus, III, Esquire
Law Offices of Patrick Loftus
9 Park Street, 5th Floor
Boston, MA 02108

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY

(name and address) John F. Gleavy, Esquire
Lynch & Lynch, 45 Bristol Drive
South Easton, MA 02375

an answer to the third-party complaint which is served on you with this summons, within 20 days after the service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default may be taken against you for the relief demanded in the third-party complaint. There is also served on you with this summons a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.


CLERK

DATE

11-16-05

AO 441 (Rev. 5/85) Third Party Summons in a Civil Action

RETURN OF SERVICEService of the Summons and Complaint was made by me⁽¹⁾

DATE

NAME OF SERVER

TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served: _____
- ☐ Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left: _____
- ☐ Return unexecuted: _____
- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

I accept service on behalf of Ellis & Schneider.


Martin S. Cosgrove

DATED: 12/20/05

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.